

1101 Kings Hwy. N., Ste. 402
Cherry Hill, NJ 08034
Tel: (856) 685-7420
Fax: (856) 685-7417
jboyette@swartz-legal.com

March 1, 2021

VIA ECF

The Honorable William L. Campbell, USMJ
797 United States Courthouse
801 Broadway, Nashville, TN 37203

**Re: *Cormier, et al. v. Western Express, Inc., et al.*
Civil Action No. 14-29**

Dear Judge Campbell:

I write to provide a status update regarding the final distributions related to the settlement of the instant matter. As of October 6, 2020, the class administrator distributed the final reissued checks to class members who were eligible to receive a settlement payment but who had not initially received and/or deposited such payment during the initial distribution period. The Settlement Agreement entered and approved by this Court does not provide for any further distributions to class members.

Accordingly, as of October 6, 2020, the parties directed the class administrator to finalize the settlement and distribute the balance of the settlement fund to the two *cy pres* recipients, the St. Christopher Truckers Development and Relief Fund and the Wayne Wise Wellness Fund. It was the understanding of counsel that this distribution would be made in two distributions, with the balance on hand distributed as soon as possible, with a small remainder being distributed after the class administrator received refunds of payroll taxes from the voided individual settlement payments.

Counsel recently learned that the the class administrator inadvertently delayed making the initial distribution to the *cy pres* recipients after the parties requested same in October 2020. As of February 18, that oversight has been corrected and the balance of the settlement fund has been distributed to the *cy pres* recipients. It is the understanding of Plaintiff's counsel from the class administrator that it may take up to two years to receive payroll tax refunds in order to complete the second and final distribution to the *cy pres* recipients. The class administrator will notify all counsel when this distribution has been made, and Plaintiff's counsel will notify the Court at that time that the entire settlement fund has been distributed and this matter is closed.

Plaintiffs thank the Court for its attention to this matter.

Respectfully submitted,

/s/ Joshua S. Boyette

Joshua S. Boyette, Esq.

SWARTZ SWIDLER, LLC

1101 Kings Hwy N., Ste. 402

Cherry Hill, NJ 08034

Phone: (856) 685-7420

Fax: (856) 685-7417